

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 BRIAN B. GARLIN,

4 Plaintiff

5 v.

6 VETERANS ASSOCIATION OF PALO
7 ALTO,

8 Defendant

Case No.: 2:23-cv-01321-APG-EJY

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 5]

9 On November 15, 2023, Magistrate Judge Youchah recommended that I dismiss this case
10 without prejudice because plaintiff Brian Garlin has not complied with court orders to file an
11 amended complaint. ECF No. 5. Garlin did not object. Thus, I am not obligated to conduct a de
12 novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts
13 to “make a de novo determination of those portions of the report or specified proposed findings
14 to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)
15 (en banc) (“the district judge must review the magistrate judge’s findings and recommendations
16 de novo *if objection is made*, but not otherwise” (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Youchah’s report and recommendation
18 (ECF No. 5) is accepted, plaintiff Brian Garlin’s complaint (ECF No. 1-1) is dismissed without
19 prejudice, and the clerk of court is instructed to close this case.

20 DATED this 6th day of December, 2023.

21 

22 ANDREW P. GORDON
23 UNITED STATES DISTRICT JUDGE